



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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**STATE WATER CONTROL BOARD ENFORCEMENT ACTION
AMENDMENT TO
SPECIAL ORDER BY CONSENT
ISSUED TO
PEPPER'S FERRY REGIONAL WASTEWATER TREATMENT AUTHORITY
VPDES PERMIT NO. VA0062685**

SECTION A: Purpose

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to Pepper's Ferry Regional Wastewater Treatment Authority ("Authority"), for the purpose of revising certain provisions of the Consent Special Order issued by State Water Control Board to the Authority on October 29, 2003.

SECTION B: Basis for Amendment

1. The Authority owns and operates the Pepper's Ferry Regional Wastewater Treatment Plant, which operates under VPDES Permit No. VA0062685 ("Plant"). The Plant receives wastewater from the Town of Pulaski, the Town of Dublin, the County of Pulaski, the County of Montgomery, and the City of Radford. The Permit authorizes discharges at a rate of 9 MGD into the New River.
2. On October 29, 2003, the Board issued a Consent Special Order ("2003 Order") requiring the Authority to upgrade the Plant and the New River Pump Station. To accommodate the fact that treatment capacity would be temporarily reduced during construction, the 2003 Order also granted interim limits that would apply when peak flows at the Plant exceeded 9.25 MGD.
3. In a letter to DEQ dated May 14, 2004, the Authority explained that construction delays will prevent timely completion of the upgrades. Delays at the Plant were due to: defective welding work, scheduling coordination with subcontractors, lack of cooperation from the manufacturer of the digester mixing and heating system in resolving operational problems. Delays at the Pump Station were caused by: a late start by the General Contractor, the failure by the General Contractor to speed up work even after repeated

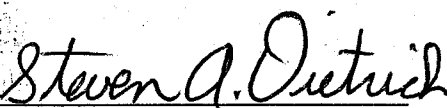
requests by the Authority at monthly progress meetings since July 2003, a shortage of laborers to tie rebar and erect formwork for equalization basin construction, and a local shortage of concrete. In the May 14 letter, the Authority requested that the Plant upgrade deadline be extended from June 1, 2004 until September 1, 2004 and that the Pump Station upgrade be extended from October 1, 2004 until May 1, 2005.

4. DEQ issued NOV No. W2004-05-W-0004 to the Authority on May 18, 2004. The NOV alleged violations of TSS limits in February 2004 and chlorine limits in November 2003, February 2004, and March 2004. The November 2003 chlorine violation was caused by an unexpected surge in chlorine demand. Authority operators immediately adjusted chlorine feed upon discovery of the violation. The conditions that led to this violation have not recurred. The violations in February and March were caused by a series of problems that started with the failure of a coupling on a non-potable water supply line. The supply line and other damaged equipment have been repaired. No evidence exists of any environmental harm caused by any of the violations.
5. As of May 19, 2004, all wastewater treatment trains at the Plant were operating. Accordingly, interim limits are no longer necessary.
6. Therefore, the State Water Control Board and the Authority agree that it is appropriate to amend the 2003 Order as described below.

SECTION C: Agreement and Order

Accordingly, the State Water Control Board, by virtue of the authority granted it in Code §62.1-44.15(8a), orders the Authority and the Authority agrees that the Authority shall perform the actions described in Appendix A of this Amendment, which supercedes Paragraphs 1 and 2 of Appendix A of the 2003 Order. In addition, the Board orders the Authority and the Authority agrees that the interim limits authorized at Section D and Appendix A, Paragraph 4 of the 2003 Order and specified in Appendix B of the 2003 Order expire as of the effective date of this Amendment. Both the State Water Control Board and the Authority understand and agree that this Amendment does not alter, modify, or amend any other provision of the 2003 Order and that unmodified provisions of the 2003 Order remain in effect by their own terms.

And it is so ORDERED this day of SEPT. 8, 2004.


for Robert G. Burnley, Director
Department of Environmental Quality

The Pepper's Ferry Regional Wastewater Treatment Authority voluntarily agrees to the issuance of this Amendment.

By: Doyle R. Barton
Date: July 21, 2004

Commonwealth of Virginia

City/County of Delaski

The foregoing instrument was acknowledged before me this 21st day of July, 2004,
by Doyle R. Barton, who is Chairman of the
Pepper's Ferry Regional Wastewater Treatment Authority on behalf of said Authority.

Ferri E. Shaffer
Notary Public

My commission expires: Oct. 31, 2005

APPENDIX A

The Authority shall:

1. Substantially complete upgrades at the Plant involving flow blending, aeration basins, secondary clarifiers, digesters, and Supervisory Control and Data Acquisition (“SCADA”) system/telemetry upgrades for equipment monitoring and control, in accordance with approved plans and specifications, and submit a complete application for a Certificate to Operate to DEQ, not later than September 1, 2004.
2. Substantially complete upgrades at the New River Pump Station involving pumps, controls, power, standby power, screening, and the equalization basin, in accordance with approved plans and specifications, and submit a complete application for a Certificate to Operate to DEQ, not later than May 1, 2005.